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Attorneys for Defendant
HONEYWELL INTERNATIONAL, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DEBORAH GETZ, individually and as a surviving
heir of decedent KRISTOFER D. S. THOMAS;
RODNEY THOMAS, individually and as a
surviving heir of decedent, KRISTOFER D. S
THOMAS; MARY DUFFMAN, individually and
as a surviving heir of decedent, SCOTT E.
DUFFMAN; SOPHIA DUFFMAN, a minor,
individually and as a surviving heir of decedent
SCOTT E. DUFFMAN, by and through her
Guardian ad Litem, MARY DUFFMAN;
CHRISTINE VAUGHN, individually and as a
surviving heir of decedent, TRAVIS R.
VAUGHN; BRAD VAUGHN, individually and as
a surviving heir of decedent, TRAVIS R.
VAUGHN; JILL GARBS, individually and as a
surviving heir of decedent RYAN GARBS;
DOUG GARBS, individually and as a surviving
heir of decedent, RYAN GARBS; JORDAN
LANHAM; JERRY GOLDSMITH; RYANNE
NOSS, individually and as spouse of SCOT
NOSS; TIMOTHY BRAUCH; CHRIS TRISKO,
MARK DANIEL HOUGHTON,

Plaintiffs,

v.

Case No.

**DECLARATION OF WILLIAM V.
O'CONNOR IN SUPPORT OF
HONEYWELL INTERNATIONAL
INC.'S MOTION TO TRANSFER
VENUE**

1 THE BOEING COMPANY, a corporation;
2 HONEYWELL INTERNATIONAL, INC., a
3 corporation; GOODRICH CORPORATION, a
4 corporation; BF GOODRICH AEROSPACE;
5 CHANDLER EVANS CONTROL SYSTEMS;
6 GENERAL ELECTRIC and DOES 1 through 200,
7 inclusive,

8 Defendants.

9 I, William V. O'Connor, declare as follows:

10 1. I am an associate at the law firm of Morrison & Foerster LLP, attorneys of record
11 in this action for Honeywell International Inc.'s ("Honeywell"). I am familiar with the facts of
12 the case, the pleadings on file with the Court, and have been responsible for the day-to-day
13 management of this case. The statements contained in the declaration are based on my own
14 personal knowledge, and if required by this Court, I would testify competently as follows
15 regarding Honeywell's discovery needs in the case:

16 2. Attached hereto as Exhibit 1 is a true and correct copy of a United States Army
17 Special Operations Command News Service article entitled, "Eight Special Operations Personnel
18 Killed in Afghanistan Helicopter Crash", dated Feb. 20, 2007. This article can be accessed at
19 <http://news.soc.mil/releases/News%20Archive/2007/February/070220-01.html>.

20 3. Attached hereto as Exhibit 2 is a true and correct copy of the Patriot Guard Riders
21 Forum webpage which contains information relevant to Plaintiffs Deborah Getz, Rodney Thomas
22 and their son Pfc. Kristopher Thomas. This site was last visited on January 9, 2008 and can be
23 accessed at <http://www.patriotguard.org/Forums/tabid/61/postid/432196/view/topic/Default.aspx>.

24 4. Attached hereto as Exhibit 3 is a true and correct copy of news releases from the
25 Arlington National Cemetery website which contains information relevant to Plaintiffs Mary
26 Duffman, Sophia Duffman and Technical Sergeant Scott E. Duffman. This site was last visited
27 on January 9, 2008 and can be accessed at <http://www.arlingtoncemetery.net/seduffman.htm>.

28 5. Attached hereto as Exhibit 4 is a true and correct copy of the U.S. Army Special
Operations Command biographical sketch of Specialist Travis R. Vaughn. This website was last
visited on January 10, 2008 and can be accessed at

1 [http://news.soc.mil/Fallen%20Heroes%20Folders/Bios/Spec%20Travis%20R%20Vaughn%20\(b-](http://news.soc.mil/Fallen%20Heroes%20Folders/Bios/Spec%20Travis%20R%20Vaughn%20(b-2-160th)(19Feb2007).pdf)
2 [2-160th\)\(19Feb2007\).pdf](http://news.soc.mil/Fallen%20Heroes%20Folders/Bios/Spec%20Travis%20R%20Vaughn%20(b-2-160th)(19Feb2007).pdf).

3 6. Attached hereto as Exhibit 5 is a true and correct copy of the Military Times
4 website “Honor the Fallen” containing information relevant to Plaintiffs Christine Vaughn, Brad
5 Vaughn and their son Army Spc. Travis R. Vaughn. This website was last visited on January 10,
6 2008 and can be accessed at <http://www.militarycity.com/valor/2571353.html>.

7 7. Attached hereto as Exhibit 6 is a true and correct copy of Music Ministry webpage
8 containing information relevant to Plaintiff RyAnne Noss and her husband Scot Noss. This
9 website was last visited on January 9, 2008 and can be accessed at
10 <http://www.wesleyumc.net/Music/celebration.htm>.

11 8. Attached hereto as Exhibit 7 is a true and correct copy of a Caring Bridge webpage
12 containing information relevant to Plaintiff RYAnne Noss and her husband Scot Noss. This
13 website was last visited on January 10, 2008 and can be accessed at
14 <http://www.caringbridge.org/visit/scottnoss>.

15 9. Attached hereto as Exhibit 8 is a true and correct copy of the attorney biography of
16 Brian J. Malloy of The Brandi Law Firm. This website was last visited on January 9, 2008 and
17 can be accessed at <http://www.brandilaw.com/bio/BrianMalloy.asp>.

18 10. Attached hereto as Exhibit 9 is a true and correct copy of the attorney biography of
19 Casey A. Kaufman of The Brandi Law Firm. This website was last visited on January 9, 2008
20 and can be accessed at <http://www.brandilaw.com/bio/CaseyKaufman.asp>.

21 11. Attached hereto as Exhibit 10 is a true and correct copy of the attorney biography
22 of Daniel Dell’Osso of The Brandi Law Firm. This website was last visited on January 9, 2008
23 and can be accessed at <http://www.brandilaw.com/bio/DanielDellOsso.asp>.

24 12. Attached hereto as Exhibit 11 is a true and correct copy of The Brandi Law Firm’s
25 Aviation Practice Area webpage. This website was last visited on January 9, 2008 and can be
26 accessed at <http://www.brandilaw.com/PracticeAreas/AviationAccidents.asp>.

27 13. Attached hereto as Exhibit 12 is a true and correct copy of a Washington Post
28 article entitled, “Comrade Recalls Flier as Rock Steady”, dated March 14, 2007.

1 14. Attached hereto as Exhibit 13 is a true and correct copy of a Air Force Times
2 article entitled, "Airman, 7 Others Die in Helo Crash", dated March 5, 2007.

3
4 I declare under penalty of perjury under the laws of the United States of America that the
5 foregoing is true and correct, and that I executed this declaration on January 10, 2008 at Phoenix,
6 Arizona.

7
8 /s/ William V. O'Connor
 William V. O'Connor

EXHIBIT 1



RELEASE NUMBER: 070220-01
DATE POSTED: FEBRUARY 20, 2007

Eight special operations personnel killed in Afghanistan helicopter crash

From official military releases and staff reports

FORT BRAGG, N.C. (USASOC News Service, Feb. 20, 2007) – Seven Army Special Operations Soldiers were killed in a Feb. 18 crash of a MH-47 Chinook helicopter in Afghanistan.

According to a Department of Defense release, killed in the crash were:

- Pfc. Ryan C. Garbs, 20, of Edwardsville, Ill.; B Company, 3rd Battalion, 75th Ranger Regiment, Fort Benning, Ga.
- Spec. Brandon D. Gordon, 21, of Naples, Fla.; B Company, 2nd Battalion, 160th Special Operations Aviation Regiment (Airborne), Fort Campbell, Ky.
- CW3 Hershel D. McCants, Jr., 33, of Arizona; B Co., 2nd Bn, 160th SOAR(A).
- CW3 John A. Quinlan, 36, of New Jersey; B Co., 2nd Bn, 160th SOAR(A).
- Pfc. Kristofer D. Thomas, 18, of Roseville, Calif.; B Co., 3rd Bn., 75th Ranger Regiment.
- Spec. Travis R. Vaughn, 26, of Reinbeck, Iowa; B Co., 2nd Bn, 160th SOAR(A).
- Sgt. Adam A. Wilkinson, 23, of Miskayuna, N.Y.; B Co., 2nd Bn, 160th SOAR(A).

A member of the U.S. Air Force Special Operations Command was also killed in the crash. TSgt. Scott Duffman, of La Cueva, N.M., was assigned to the 24th Special Tactics Squadron, Pope Air Force Base, N.C. (Go to <http://www2.afsoc.af.mil> for additional details.)

In a statement, 160th Commander Col. Kevin W. Mangum said, “The aircraft was crewed by an exceptionally qualified team of professionals and was flying in a formation of other aircraft in performance of this mission. It is unclear at this time as to exactly what caused the aircraft to crash onto a high plain in southeastern Afghanistan.

“While it is important that we investigate and determine what caused this tragic event - which we will - our immediate and lasting concern is for the families and friends of the extraordinary men who served their country with distinction,” Mangum said. ([Link to full statement](#))

Fourteen others were wounded in the crash when the helicopter reportedly had a sudden, unexplained loss of power and control before crashing in southeastern Afghanistan.

A combat search and rescue operation was launched immediately to secure the site and recover the passengers. Wounded personnel were transported to Coalition medical facilities for treatment.






The helicopter was carrying 22 people, including aircrew, at the time of the crash.

“The loss of these service members is felt by all of us here in Afghanistan, and we offer our deepest sympathy to the families of those who were killed,” said Lt. Col. David Accetta, Coalition spokesman at a press briefing immediately following the incident.

The 160th SOAR has tentatively scheduled a unit memorial for Feb. 21 at 1 p.m. (CST) in the Passenger Processing Center at Fort Campbell, Ky. It is closed to the media. Plans for the 75th Ranger Regiment memorial have not been set.

The cause of the crash is under investigation.

—usasoc—

	<p>Pfc. Ryan C. Garbs, 20, of Edwardsville, Ill. Garbs was assigned to B Company, 3rd Battalion, 75th Ranger Regiment, Fort Benning, Ga. He graduated from the United States Army Airborne School in February 2006. Following graduation from the Ranger Indoctrination Program, he was assigned to 1st Platoon, B Company, 3d Battalion, 75th Ranger Regiment in March 2006.</p> <p>Garbs is survived by his parents, Doug and Jill Garbs of Edwardsville, Ill.</p> <p>Pfc. Ryan C. Garbs' full biography</p>	
	<p>Spec. Brandon D. Gordon, 21, of Naples, Fla. He was assigned to B Company, 2nd Battalion, 160th Special Operations Aviation Regiment (Airborne), Fort Campbell, Ky.</p> <p>Gordon joined the Army in October 2003 and has been with the 160th since May 2005.</p> <p>He is survived by his father, Gene Gordon, mother, Terri Gordon, and brothers, Bryan, Bradley and Cole, from Naples, Fla.</p> <p>Spec. Brandon D. Gordon's full biography</p>	
	<p>CW3 Hershel D. McCants, Jr., 33, of Arizona. He was assigned to B Company, 2nd Battalion, 160th Special Operations Aviation Regiment (Airborne), Fort Campbell, Ky.</p> <p>McCants enlisted in the Army in October 1991. He earned his pilot wings in 2001 and joined the 160th in 2005.</p> <p>He is survived by his wife, Shannon, son, Trevor (11), and daughter, Kylie (11 months). McCants' mother, Goldie Murphy, and father, Hershel D. McCants, Sr., also survive him.</p> <p>CW3 Hershel D. McCants' full biography</p> <p>Click here for the McCants' family statement.</p>	
	<p>CW3 John A. Quinlan, 36, of New Jersey. He was assigned to B Company, 2nd Battalion, 160th Special Operations Aviation Regiment (Airborne), Fort Campbell, Ky.</p> <p>He originally enlisted in the U.S. Marine Corps in October 1988. He was accepted into the Army Warrant Officer entry program in 1997. He joined the</p>	



160th in 2003.

He is survived by his wife, Julie, and three daughters – Keely (10), Madeline (8) and Erin (3). His parents, Robert and Kate Quinlan, and sister, Susan, also survive him.

[CW3 John A. Quinlan's full biography](#)

[Click here for the Quinlan's family statement.](#)



Pfc. Kristofer D. Thomas, 18, of Roseville, Calif. He was assigned to B Company, 3rd Battalion, 75th Ranger Regiment, Fort Benning, Ga. Thomas joined the Army Feb. 9, 2006. By September 2006, he had completed One Station Unit Training, airborne school and Ranger Indoctrination Program at Fort Benning.

Lincoln, Calif. and Debby Getz of Roseville, Calif.

[Pfc. Kristofer D. Thomas' full biography](#)



Spec. Travis R. Vaughn, 26, of Reinbeck, Iowa. He was assigned to B Company, 2nd Battalion, 160th Special Operations Aviation Regiment (Airborne), Fort Campbell, Ky.

Vaughn joined the Army in October 2003 and joined the 160th in July 2005. He is survived by his wife, Heather, and son, Taylin (5).

[Spec. Travis R. Vaughn's full biography](#)

[Click here for Vaughn's family statement.](#)



Sgt. Adam A. Wilkinson, 23, of Miskayuna, N.Y.; B Company, 2nd Battalion, 160th Special Operations Aviation Regiment (Airborne), Fort Campbell, Ky.

Wilkinson joined the Army in March 2002. He arrived at the 160th in May 2005

He is survived by his wife, Tyffanie, and son, Carson (1).

[Sgt. Adam A. Wilkinson's full biography](#)

[Click here for the Wilkinson's family statement](#)

EXHIBIT 2



Patriot Guard Riders

Standing For Those Who Stood For US



Wednesday, January 09, 2008

... ALL Forums ...

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Subject: Mission Complete - Pfc. Kristofer D. S. Thomas, 18, Roseville, CA -25, 28 Feb 07

You are not authorized to post a reply.

Page 1 of 2 **1** 2 > >>

Author

Messages

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Koolness ●
Posts: 1006
Panama City Beach



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20 Feb 2007 8:16 PM

Updated 27 Feb 07 at 2158 ET by cagerbob

Final Itinerary

Services:

Wednesday 28 Feb 07

À

Place:

Lambert Funeral Home - 400 Douglas Blvd. Roseville Ca.

À

Interment:

Newcastle Cemetery - 850 Taylor Rd. Newcastle Ca

À

Weather:

Alert

User Support

Moderators

Photos

Media

Media Sightings

Submit Picture of Day

Web Site Administrator

Communications

Officer

Letters Of Appreciation

Help On The Homefront



Mission Request

Click on the link below to make initial contact with us regarding honor mission requests:

Contact Us

Contact Arlington National Cemetery



Wednesday: Scattered showers, with thunderstorms also possible after 10 am. Mostly cloudy, with a high near 52. Southeast wind 6 to 8 mph becoming west. Chance of precipitation is 40%.

Wednesday Night: Partly cloudy, with a low around 34. Northwest wind at 11 mph becoming east southeast.

Flag Protocol:
American flag held straight up at all times. All other flags dip to 45 degree angle when the call to attention is made.
Â

Plan:
Meet at Lambert Funeral Home - 400 Douglas Blvd. Roseville Ca. at 12:00 P.M.....set up flag line for family arrival between 12:15 and 12:30...there will be brief ceremony as they transfer our hero to the hearse. If we are allowed to be in the procession great. If not, we will proceed ahead to the cemetery and set up flag line. Grave side services are scheduled to start at 1:30 P.M.
Â

Notes:
*Cages are welcome and recommended if weather is hazardous. Please be prepared for weather as we maybe standing in the rain for services.
Â

Â
*Map link for Lambert Funeral Home to Newcastle Cemetery
Â

<http://maps.google.com/maps?saddr=400+Douglas+Blvd,+Roseville,+CA+95678&daddr=850+taylor+rd+newcastle+ca&f=l&hl=en&sl=38.744511,-121.286638&ssp=0.00815,0.021501&ie=UTF8&z=11&ll=38.809305,-121.20856&spn=0.260573,0.462799&om=1>
Â

Thank you for your support,Â "b"

Updated 24 Feb 07Â Â 1631 estÂ S Sturgis

Howdy PGR members and support groups.....I just received a request from the family of our most recent fallen hero in the Sacramento area, Pfc. Kristofer D. S. Thomas, 18, Roseville, CA.
Â

They will be receiving Pfc. Kristofer D. S. Thomas at 2 pm, McClellan Air Park Sunday the 25th of Feb 07 (Tomorrow). The family has requested a flag line at Lambert Funeral Home, 400 Douglas Blvd Roseville, Ca.
Â

map link:
<http://maps.google.com/?q=400+Douglas+Blvd,+Roseville,+CA+95678&sl=37.0625,-95.677068&ssp=33.901528,59..238281&ie=UTF8&z=15&ll=38.744611,->

[121.286616&spn=0.016301,0.043001&om=1&iwloc=addr](#)

Â

Plan is:

Meet at the funeral home no later than 2 pm and form a flag line (it should take them about 15 - 20 minutes).....I would like the line from the front door along the walk way all along the sidewalk of Douglas Blvd and down Irene Way, up to the back door were they will probablyÂ bring him in (depending on how many people we get). This way the family and hero can drive by our flags as they arrive, be greeted as they enter the building and be present as the body is removed from the hearse and carried into the home.

Â

Parking:

This is a small area, please park bikes in drive wayÂ along Douglas side of home close to the building it self, 2 up. Cages, please find street parking on Irene Way. This should allow for family and hearse.

Â

This should be about an hour at most, sorry for the short notice and I hope to see you all there....."b"

Â

Updated 23-feb-07 1330 cstÂ Cajun

Pre -mission planning

Â

Hello to all.Â This mission info is as I have it now. Times will be determined at a later date when confirmed through the CAO.....please stand by for final itinerary.

Â

Services:

Wednesday 28 Feb 07

Â

Place:

Lambert Funeral Home - 400 Douglas Blvd. Roseville Ca.

Â

Internment:

Newcastle Cemetery - 850 Taylor Rd. Newcastle Ca

Â

Weather:

Wednesday: A chance of showers. Partly cloudy, with a high near 58.

Wednesday Night: Partly cloudy, with a low around 40.

Flag Protocol:

American flag held straight up at all times. All other flags dip to 45 degree angle when the call to attention is made.
A

IMMEDIATE RELEASE

**No. 199-07
February 20, 2007**

DoD Identifies Army Casualties

The Department of Defense announced today the death of seven soldiers who were supporting Operation Enduring Freedom. They died Feb. 18 in southeastern Afghanistan when the Chinook helicopter they were in crashed. The incident is under investigation.

Killed were:

Chief Warrant Officer Hershel D. McCants Jr., 33, of Ariz. McCants was assigned to the 2nd Battalion, 160th Special Operations Aviation Regiment (Airborne), Fort Campbell, Ky.

Chief Warrant Officer John A. Quinlan, 36, of New Jersey. Quinlan was assigned to the 2nd Battalion, 160th Special Operations Aviation Regiment (Airborne), Fort Campbell, Ky.

Sgt. Adam A. Wilkinson, 23, of Fort Carson, Colo. Wilkinson was assigned to the 2nd Battalion, 160th Special Operations Aviation Regiment (Airborne), Fort Campbell, Ky.

Spc. Travis R. Vaughn, 26, of Reinbeck, Iowa. Vaughn was assigned to the 2nd Battalion, 160th Special Operations Aviation Regiment (Airborne), Fort Campbell, Ky.




	<p>Spc. Brandon D. Gordon, 21, of Naples, Fla. Gordon was assigned to the 2nd Battalion, 160th Special Operations Aviation Regiment (Airborne), Fort Campbell, Ky.</p> <p>Pfc. Ryan C. Garbs, 20, of Edwardsville, Ill. Garbs was assigned to the 3rd Battalion, 75th Ranger Regiment, Fort Benning, Ga.</p> <p>Pfc. Kristofer D. S. Thomas, 18, of Roseville, Calif. Thomas was assigned to the 3rd Battalion, 75th Ranger Regiment, Fort Benning, Ga.</p> <p>For more information in regard to this release the media can contact the U.S. Army Special Operations Command public affairs office at (910) 432-6005.</p> <hr/>
	<p>You can easily measure a person's character by observing how they treat someone who can do nothing for them.</p> <hr/>
<div><div>vander177 ●</div><div>Posts: 1983</div><div>Vandergrift, PA</div><div></div><div> Send Email</div><div> Message</div></div>	<div>20 Feb 2007 8:34 PMAlert</div> <hr/> <p>My condolences and prayers to the family and friends of PFC Kristofer D. S. Thomas. I thank you for your service and ultimate sacrifice for this great country. You may be gone, but, you will not be forgotten.</p> <p>The price of freedom is written on the WALL.</p> <hr/> <p>Ralph A. DeLorme, SFC, US Army, Retired Patriot Guard Riders, Ride Captain, Region 10, PA American Legion Riders, Sgt of Arms, Post 820, Monroeville, PA GWRRA member - PA Chapter U DAV Life Member</p> <p>Riding in memory of Herbert Weltz - US Army - KIA 03-25-68</p> <p>Riding in memory of our grandson Randy C. DeLorme - April 1986 - December 2001</p> <p>ALL GAVE SOME - SOME GAVE ALL</p> <hr/>
<div><div>noname ●</div><div>Posts: 78</div></div>	<div>20 Feb 2007 8:43 PMAlert</div> <hr/> <p>To Pfc Kristofer D.S. Thomas my family thanks you for you service and sacrifice to this great country. To your</p>

EXHIBIT 3

Arlington National Cemetery Website**Scott E. Duffman**

Sergeant, United States Air Force

**NEWS RELEASES from the United States Department of Defense****No. 191-07 IMMEDIATE RELEASE****February 19, 2007****Media Contact: (703) 697-5131/697-5132****Public/Industry(703) 428-0711****DoD Identifies Air Force Casualty**

The Department of Defense announced today the death of an Airman who died February 18, 2007, when the coalition CH-47 helicopter he was riding in crashed in eastern Afghanistan.

Technical Sergeant Scott E. Duffman, 32, of Albuquerque, New Mexico, was assigned to the 24th Special Tactics Squadron, Pope Air Force Base, North Carolina.

An investigation will be conducted to verify the cause of the crash.

For more information related to this release media can contact the Air Force Special Operations Command public affairs office at (850) 884-5515.

**Local Family Of Soldier Killed Over Weekend Mourns His Death
19 February 2007**

PRINCE WILLIAM COUNTY, Virginia - One of eight service members killed over the weekend when a helicopter went down in Afghanistan has ties to the Virginia area.

Scott Duffman was a decorated special operations airman. He was raised in New Mexico, but his mother and sister now live in Prince William County.

"It's very surreal.... something you hear about and plan for you but you re never prepared," Duffman's mother said.

A retired Air Force medic herself, Rose Duffman knew the risks that went along with her son's service.

But she said she also knew she could never stand in the way when -- as a determined 18-year-old fresh out of high school -- Scott entered the Air Force.

Rose said her son's eyes were set on being apart of the special ops.



Duffman was one of two in a group of 50 that trained for the specialized position of a Pararescue Medic.

Officials said that it was Scott's job to find a way to come to the aid of injured airman - no matter what it took to get to them.

"He loved skiing, scuba diving, skydiving, mountain climbing," Rose said. "He loved it all. There's a sense of loyalty, duty, and honor to his country that was very much him. He couldn't think of anything else he'd rather be doing."

Rose said that two years ago Scott married... and in October, his first child, Sophia was born.

In late December, Scott brought his wife and new baby to Rose's home for a visit -- it was the last time she would see her son.

She said she tried to suggest he consider a slightly different line of work... perhaps teaching.

"No matter how much I tried to talk him out of it," Rose said. "It didn't matter."

Rose said her son had been to Iraq and Afghanistan at least a dozen times, but that he'd been on this particular mission just five days when the helicopter he was in had engine trouble and crashed between Kabul and Kandahar.

Eight were killed in the accident and 14 injured.

Rose said she's consoled with the knowledge that he was doing what he loved.

"He's a man that had convictions."

Rose said that it was clear to her about one other thing with her son - if anything ever did happen - he wanted to be buried at Arlington National Cemetery.

Duffman's family said they expect to hold service there sometime next month.

Tuesday, February 20, 2007
Pope airman among dead in Afghanistan crash

A Pope Air Force Base airman was one of eight U.S. troops killed Sunday in a helicopter crash in Afghanistan, the Pentagon said Monday.

Tech. Sgt. Scott E. Duffman, 32, of Albuquerque, New Mexico, is the third Pope airman to die in Afghanistan.

"It's kind of hard to believe because you'd just talked to him the day before," said his

mother, Rose Duffman. “He was a warrior, and he loved what he did and why he did it.”

He had been in Afghanistan for five days when he died Sunday, his mother said.

Duffman was married, and he and his wife have a 5-month-old daughter.

“She was the light of his life,” said Rose Duffman, who has lived in Washington, D.C., since 2004.

Duffman is the second member of the 24th Special Tactics Squadron to die in the central Asian country. The squadron is part of 720th Special Tactics Group of the Air Force Special Operations Command at Hurlburt Field, Florida.

The pilot had reported an unexplained loss of power shortly before the twin-rotor CH-47 Chinook transport helicopter plunged to the ground in Zabul province, which lies between the Afghan capital, Kabul, and the southern city of Kandahar. Fourteen other U.S. troops were injured in the predawn crash, military officials said.

There were no immediate claims of responsibility for any attack on the helicopter, which crashed under overcast skies in a region where Taliban militants are active.

Duffman lived in Albuquerque from 1984 to 1992, and “this was always home to him,” his mother said. “He loved the mountains.”

He had frequent deployments and previously served in Afghanistan and Iraq, his mother said.

Duffman was trained to be a pararescue jumper and make rescues in hostile territory.

It was the deadliest single incident this year for the 47,000 U.S.-led coalition and NATO forces in Afghanistan.

The military relies heavily on helicopters for transport and operations because of Afghanistan’s forbidding terrain and lack of passable roads. Dust and the high altitude of Afghan’s mountains take a heavy toll on helicopter engines.

It was the first U.S. military helicopter crash involving multiple fatalities since May, when 10 troops were killed in eastern Kunar province as the pilot tried to set down on a mountaintop in the dark.



Air Force Sergeant Loved Excitement, Saving Lives

By Brigid Schulte

Courtesy of the Washington Post

Saturday, March 3, 2007

EXHIBIT 4



Biographical Sketch

U.S. ARMY SPECIAL OPERATIONS COMMAND

PUBLIC AFFAIRS OFFICE FORT BRAGG, NC 28310, 910-432-6005

Specialist Travis R. Vaughn **Died Feb. 18, 2007** **Operation Enduring Freedom**

Specialist Travis R. Vaughn died Feb. 18, 2007, in southeastern Afghanistan when his MH-47E Chinook Helicopter crashed while conducting operations in support of Operation Enduring Freedom.

He was born Sept. 1, 1980, in Waterloo, Iowa.

Vaughn, a 1999 graduate of Cedar Falls High School, volunteered for Army service in October 2003 as a Chinook Helicopter repairer. After completing initial training at Fort Jackson, S.C., and advanced individual training at Fort Eustis, Va., Vaughn was assigned to 2nd Battalion, 52nd Aviation Regiment, Camp Humphries, Korea. He arrived at the 160th Special Operations Aviation Regiment (Airborne) in July 2005 and completed the regiment's "Green Platoon" course, an initial selection and training requirement prior to assignment. He was assigned to the regiment's 2nd Battalion as a MH-47E Maintenance Team Member and most recently with B Company as a MH-47E Crew Chief. Vaughn had previously deployed twice in support of Operation Enduring Freedom in Afghanistan.



Vaughn's schools include the Chinook Helicopter Repairer Course, Survival, Evasion, Resistance and Escape Course, Combatives Level 1, and the Special Operations Training Course.

His awards and decorations include the Army Commendation Medal, Army Good Conduct Medal, National Defense Service Medal, Afghanistan Campaign Medal, Global War on Terrorism Service Medal, Korea Defense Service Medal, Army Service Ribbon, and Aviation Crewmember Badge. He was posthumously awarded the Meritorious Service Medal.

Vaughn is survived by his wife, Heather, and son, Taylin (5).

-NSDQ-

EXHIBIT 5



Army Spc. Travis R. Vaughn

26, of Reinbeck, Iowa; assigned to the 2nd Battalion, 160th Special Operations Aviation Regiment (Airborne), Fort Campbell, Ky.; died Feb. 18 in southeastern Afghanistan when the Chinook helicopter he was in crashed. Also killed were Chief Warrant Officer 3 Hershel D. McCants Jr., Chief Warrant Officer 3 John A. Quinlan, Sgt. Adam A. Wilkinson, Spc. Brandon D. Gordon, Pfc. Ryan C. Garbs, Pfc. Kristofer D. S. Thomas and Air Force Tech. Sgt. Scott E. Duffman.



Pentagon identifies 8 killed in helo crash

By Sean D. Naylor

Staff writer

Sunday's crash of a Chinook helicopter in Afghanistan killed eight special operations personnel, seven from the Army and one from the Air Force.

The helicopter was an MH-47E from the Army's 160th Special Operations Aviation Regiment's 2nd Battalion, according to a source in the special operations community.

According to a Defense Department release, killed in the crash were:

- Pfc. Ryan C. Garbs, 20, of Edwardsville, Ill.; B Company, 3rd Battalion, 75th Ranger Regiment, Fort Benning, Ga.
- Spc. Brandon D. Gordon, 21, of Naples, Fla.; B Company, 2nd Battalion, 160th Special Operations Aviation Regiment (Airborne), Fort Campbell, Ky.
- Chief Warrant Officer 3 Hershel D. McCants, Jr., 34, of Arizona; B Co., 2nd Battalion, 160th.
- CW3 John A. Quinlan, 26, of New Jersey; B Co., 2nd Battalion, 160th.
- Pfc. Kristofer D. Thomas, 18, of Roseville, Calif.; B Co., 3rd Battalion., 75th Ranger Regiment.
- Spc. Travis R. Vaughn, 26, of Reinbeck, Iowa; B Co., 2nd Battalion, 160th.
- Sgt. Adam A. Wilkinson, 23, of Miskayuna, N.Y.; B Co., 2nd Battalion, 160th.
- Air Force Tech Sgt. Scott Duffman, of La Cueva, N.M., was assigned to the 24th Special Tactics Squadron, Pope Air Force Base, N.C.

According to a press release posted on the Army Special Operations command web

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site Tuesday night, 160th Commander Col. Kevin W. Mangum said, "The aircraft was crewed by an exceptionally qualified team of professionals and was flying in a formation of other aircraft in performance of this mission. It is unclear at this time as to exactly what caused the aircraft to crash onto a high plain in southeastern Afghanistan.

"While it is important that we investigate and determine what caused this tragic event — which we will — our immediate and lasting concern is for the families and friends of the extraordinary men who served their country with distinction," Mangum said.

Fourteen others were wounded in the crash when the helicopter reportedly had a sudden, unexplained loss of power and control before crashing in southeastern Afghanistan.

A combat search and rescue operation was launched immediately to secure the site and recover the passengers, the release said, adding that wounded personnel were transported to coalition medical facilities for treatment.

The 160th, the Rangers and the 24th STS all support Joint Special Operations Command, which is headquartered at Pope Air Force Base, N.C., and is in charge of the most sensitive special operations missions. The 160th is headquartered at Fort Campbell, Ky., and the 24th STS is headquartered at Pope.

The helicopter was carrying 22 personnel, and while some of the survivors "did walk away," several others are very seriously injured, the source said.

The helicopter was flying from Kandahar to Bagram at about 300 feet above the ground when it experienced a sudden loss of power, the source said. Initial speculation about the cause of the loss of power has centered on the possibility of engine icing, he said. But whatever caused the loss of power, "at 300 feet you don't have a lot of space to recover," the source added.

The helicopter appears to have come down aft end first, then bounced on its nose, causing the transmission assembly to come down on the cockpit, crushing the personnel at the front of the helicopter, according to the source.

The Chinook crashed in Zabol province about 50 yards away from the main Kabul to Kandahar highway, according to press reports.

The helicopter is at least the fifth MH-47 that has crashed or been shot down worldwide since the Sept. 11, 2001, attacks. The 160th is the only unit that flies the MH-47.

The 160th will hold a memorial ceremony for those killed on Wednesday.

Walter Sokalski, spokesman for USASOC, had no comment when reached by phone Tuesday.

A U.S. military statement said details of the crash or the helicopter's mission would not be released until "completion of recovery operations."

Thousands of U.S. forces are deployed in southeastern Afghanistan, including in Zabul, where they have a base under NATO command.

The province has long been a hotbed for militant supporters of the former Taliban regime who have stepped up attacks over the past year.

In May 2006, another U.S. CH-47 Chinook crashed attempting a nighttime landing on a small mountaintop in eastern Kunar province, killing 10 soldiers.

In 2005, a helicopter crashed in Kunar, after apparently being hit by a rocket-propelled grenade, killing 16 American troops.

Another crash of a civilian helicopter last year in southeastern Khost province killed up to 16 people, including the wife and two daughters of a U.S. civilian worker.

The Associated Press contributed to this report.



Soldier from Iowa killed in helicopter crash in Afghanistan

By Melanie S. Welte

The Associated Press

DES MOINES, Iowa — A soldier from Iowa died in the weekend crash of a military helicopter in southeastern Afghanistan, his family said Monday.

Spc. Travis Vaughn, of Cedar Falls, died early Sunday in the crash of a CH-47 Chinook, his stepmother, Kandi Vaughn, of Reinbeck, said.

They were told the helicopter “lost power,” she said.

“It’s like a bad dream,” Kandi Vaughn said. “You say a little prayer for the people you see, the pictures you see on TV and you say a little prayer for the family. Now, it’s us.”

The military said the Chinook was carrying 22 U.S. service members when it crashed in the Shahjoi district of Zabul province, about 50 yards from the main highway between Kabul and Kandahar. Eight American troops were killed. Fourteen people on board survived.

It was the worst U.S. crash in Afghanistan since last May.

A NATO spokesman denied the helicopter had been shot down, saying the pilot had radioed ahead to report engine problems.

The Department of Defense on Monday had not released the names of the soldiers killed or injured in the crash

Travis Vaughn grew up in Cedar Falls and graduated from Cedar Falls High School. He joined the Army about three ago, Kandi Vaughn said. He was stationed at Fort Campbell, Ky.

He and his wife, Heather, who grew up in Waterloo, have a 5-year-old son, Taylin. They live in the Fort Campbell area.

“He was a really good kid. He really changed his life around when he decided to go in the Army. He just gave it his all,” Kandi Vaughn said.

“Travis’ dad (Brad) said ‘Of course he had to do special ops. He couldn’t just go in and be in, he had to do the risky stuff,’ ” she said.

Kandi Vaughn said when he was little, Travis loved to tear his toys apart.

“He could tear a Chinook apart and put it back together,” almost blindfolded, she said.

Funeral services are pending.



Afghan crash kills Iowa soldier

By William Petroski

Des Moines Register

Army Spc. Travis Vaughn of Cedar Falls was among eight American soldiers killed Sunday in a military helicopter crash in Afghanistan, family members and friends confirmed Monday.

He was the 52nd person with Iowa ties to have died in Iraq or Afghanistan since March 2003.

Vaughn, 25, "was a real solid kid," said the Rev. John Fuller, pastor of Prairie Lakes Church in Cedar Falls, who learned of Vaughn's death Sunday morning. Fuller married Vaughn and his wife, Heather, in an Iowa ceremony two years ago. The couple had lived near the Fort Campbell, Ky., military base.

"He came into Heather's life, and he became Christian. Heather had a son, and he really took on the father's role. He was a good father and a good husband," Fuller said.

Central Command said eight troops died and 14 others were injured when the CH-47 helicopter had a "sudden, unexplained loss of power and control" and crashed in eastern Afghanistan. The Defense Department withheld some soldiers' names pending notification of relatives.

"The loss of these service members is felt by all of us here in Afghanistan, and we offer the deepest sympathy to the families of those who were killed," said Lt. Col. David Accetta, a U.S. spokesman.

Col. Tom Collins, a NATO spokesman, said the crash was not caused by enemy fire, according to the Associated Press. The pilot radioed he was having engine problems before the aircraft hit the ground, he said.

Vaughn was the son of Christine Vaughn and Brad Vaughn, according to the Waterloo-Cedar Falls Courier. His in-laws, Rod and Elaine Reinertson of Waterloo, headed to the Fort Campbell area to be with their daughter after they learned of his death. "They are still in the pretty numb stage," Fuller said Monday.

Funeral arrangements were pending, but services will be held at Prairie Lakes, a Baptist-affiliated church, after the soldier's body is returned to Iowa, Fuller said.

Vaughn was a 1999 graduate of Cedar Falls High School, school officials said. His stepmother, Kandi Vaughn of Reinbeck, told the Associated Press that Travis had grown up in Cedar Falls and had joined the Army about three years ago. His stepson, Taylin, is 5.

"It's like a bad dream," she said. "You say a little prayer for the people you see, the pictures you see on TV, and you say a little prayer for the family. Now it is us."

Kandi Vaughn said that Travis had loved to tear his toys apart when he was a child, and he could do the same with the Army's Chinook helicopter.

"He was really a good kid. He really changed his life around when he decided to go into the Army. He just gave it his all," she said.



5 Fort Campbell, Ky., soldiers among 8 killed in recent Afghan helicopter crash

The Associated Press

FORT CAMPBELL, Ky. — Five soldiers from Fort Campbell were among eight killed in a helicopter crash over the weekend in Afghanistan, the Defense Department said Feb. 20.

The military said the CH-47 Chinook was carrying 22 U.S. service members when it crashed Feb. 18 in the Shahjoi district of Zabul province. Fourteen people on board survived.

The Fort Campbell soldiers were assigned to the 2nd Battalion, 160th Special Operations Aviation Regiment (Airborne), the Pentagon said.

The crash remained under investigation, though military officials have said the twin-rotor helicopter was not shot down. It was the deadliest incident in Afghanistan this year.

The Fort Campbell soldiers have been identified as Chief Warrant Officer John A. Quinlan, 36, the pilot, of New Jersey; Chief Warrant Officer Hershel D. McCants Jr., 33, of Arizona; Sgt. Adam A. Wilkinson, 23, of Fort Carson, Colo.; Spc. Travis R. Vaughn, 26, of Reinbeck, Iowa; and Spc. Brandon D. Gordon, 21, of Naples, Fla.

Also killed were Pfc. Ryan C. Garbs, 20, of Edwardsville, Ill., and Kristofer D.S. Thomas, 18, of Roseville, Calif., the Defense Department said. They were assigned to the 3rd Battalion, 75th Ranger Regiment, Fort Benning, Ga.

The Defense Department earlier identified Tech. Sgt. Scott E. Duffman, 32, of Albuquerque, N.M. He was assigned to the 24th Special Tactics Squadron, Pope Air Force Base, N.C.

[Return to Honor the Fallen main page](#)



ArmyTimes

NavyTimes

AirForceTimes

MarineTime

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EXHIBIT 6



Music at Wesley

- Music Ministry
- Celebration Choir
- Praise Band
- Seasonal Choirs
- Hand Bell Choir
- Children's Music



- Home
- Worship

Celebration Choir

The Celebration Choir is Wesley's Traditional Choir opened to singers 9th grade through Adult. This group, led by our music director Lori Van Lenten, rehearses on Wednesday evenings from 7:00 – 8:30 in the Large rehearsal Room and before worship providing music each Sunday for the 9:30 a.m. and 11:00 a.m. traditional services. This group is always open to new members, regardless of musical ability or



experience. Each singer is provided with a practice CD making it easier to learn the anthems for Sunday worship. Complex musical "lingo" is always explained thoroughly in plain English for all to understand. The Celebration Choir enjoys fun-filled rehearsals and nothing thrills them more than to see new faces! Childcare is always available upon request. Click here to e-mail Evelyn Wakefield to request childcare or call her at 706-855-6913. Click here to [e-mail Lori Van Lenten](#) for more

information.

[About Wesley](#)[Visitor's Page](#)[Care](#)[Calendar](#)[Education](#)[Missions](#)[Music](#)[Preschool](#)[Recreation](#)[Directions](#)[Click here to play Celebration Choir Music](#)[Upcoming Celebration Choir Anthems](#)

"Heart For the Nation" The Scot Noss Benefit Concert

Sunday, September 16th 4:00PM in the Celebration Space

On February 17, 2007 in Shahjoi, Afghanistan a United States helicopter suffered a “sudden, unexpected loss of power” and crashed killing eight and wounding fourteen American troops on board. Scot Noss, one of the survivors, suffered a severe traumatic brain injury and is currently at the VA Hospital in Tampa, Florida .

Scot's recovery thus far has been slow and difficult, however, through it all his amazing wife RyAnne has brought hope and comfort to friends, family, and complete strangers through her journaling on the Caring Bridge web site. Her entries touch on hope, faith in God, the power of prayer, and their unflinching loyalty to their country. She will be speaking at this event to members of our church, community, veterans, soldiers stationed here at Fort Gordon and the families of deployed military men and women in the area, no doubt inspiring other families who are or could be in the same situation, and people who are as of yet unable to see God's grace and presence in their lives.

Although Scot is not a Georgia native, he is a Staff Sergeant with the 3rd/75th Ranger Battalion stationed at Ft. Benning . The Choir wants to help this deserving family cover expenses not covered by the Army. It is also our desire to offer help to soldiers and families in this area too. The Fisher House is a home attached to the Eisenhower Medical Center at Ft. Gordon. This home is

there for the families of wounded warriors who are recovering in Augusta. The Fisher House Project would like to build a new house next to the VA Hospital in downtown Augusta. They have recieved some funding from the government, but needs to raise \$1.8 million more. The Choir will be accepting a love offering at this event and will donate part to the Scot Noss Foundation and part to Augusta's Fisher House Project. Please join us for this powerful and moving program. Nursery will be available to children up to 7 years old. For more information please contact Lori Van Lenten. To read more about Scot and RyAnne visit www.caringbridge.com and enter scottnoss into the directory.

**Wesley United Methodist Church**

825 N. Belair Road

Evans, GA 30809

706-869-0888 :: 706-869-0488 (fax)

Office@wesleyumc.net

EXHIBIT 7

Scot Noss

WELCOME • [my story](#) • [journal](#) • [guestbook](#) • [photos](#) • [links](#) • [tributes](#) • [author sign in](#) • [help](#)

[See All Photos](#)

Email scotnossbracelets@yahoo.com if you are interested in ordering a bracelet. Call Lori Van Lenten at 706-869-0888 ex 225, to order a DVD from Scot's benefit concert. Email Holly at foxgirl400@hotmail.com if you are interested in a sticker or T-shirt.

[Read Story](#)

WEDNESDAY, JANUARY 09, 2008 11:56 PM, CST

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Hey there,
I just wanted to thank you all for the up lifting comments! You will never know how much they mean to me. I had a refreshed spirit today. I felt like nothing to stop Scot

88388 VISITS FROM FAMILY AND FRIENDS

HELP SOMEONE ELSE WHEN THEY NEED IT MOST

[Tell a Friend](#) about
CaringBridge.

[Help CaringBridge provide this
free service](#) to others who need
similar support.

TRIBUTE DONATIONS TO CARINGBRIDGE

[Read the caring tributes](#) in
honor of Scot.

[Make a donation](#) in tribute to
Scot to provide CaringBridge to
all families who need it.

EMAIL AUTHOR

leighann1883@yahoo.com

HOSPITAL INFORMATION

RyAnne's Mailing Address:
#122, 2780 E Fowler Ave
Tampa, FL 33612 Email Leigh
at leighann1883@yahoo.com
for information on Scot's fund

for coming back to me. I will just have to be more diligent in my prayers and never give up hope. Hope is what keeps our faith going and faith keeps hope alive.

Scot was cleared to go back to the chamber treatments. I was very happy about this especially when I was given the report that Scot's wound is actually improving. That is great news. We will keep up with the same wound care and hopefully the chamber treatments will help heal even more.

Scot's eyes were open all day today. It was great to see. The contact lens they put in his eyes provided a barrier for the eye and has really kept it moist and filament free. An optometrist is now on the rounds and they are going to issue Scot blue tinted glasses to wear in the room and black tinted shades outdoors. There has been study that bright light causes an extra distraction to TBI patients and the glasses have shown that some patients have been able to focus more to one task than have the "noise" or distraction of the bright light. That was very interesting.

Well off to bed. Please continue to pray for Scot's awareness level. As Keri wrote on the caringbridge, it is through friends like you all that carry Scot to Jesus and lower him down through the roof for healing. Thank you all, especially on days that I feel so weak that I couldn't lift a feather.

I love you all
In Christ,
RyAnne

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EXHIBIT 8

The Brandi Law Firm

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Schedule An Appointment

800-481-1615

415-989-1800

Attorneys**Brian J. Malloy**

San Francisco, California

phone (415) 989-1800**fax** (415) 989-1801**email** [Email Me](#)

Brian J. Malloy is a Phi Beta Kappa graduate of the University of Oregon, Robert D. Clark Honors College where he majored in Political Science, graduating summa cum laude. Brian attended the University of California, Hastings College of the Law, earning Order of the Coif, and graduating as Valedictorian. At Hastings, Brian was a member of the Hastings Law Journal and is the author of "Binding Interest Arbitration in the Public Sector: A 'New' Proposal for California and Beyond," which has been cited in Witkin (3 Witkin, Summary 10th (2005) Agency 564), the foremost authority on California law.

Prior to joining The Brandi Firm, Brian served as a law clerk to the Honorable Melvin Brunetti of the United States Court of Appeals for the Ninth Circuit. Brian is a member of the California Bar, and the bars in Arizona, Nevada and Washington, D.C. He has represented Plaintiffs in the Guidant Litigation (MDL No. 1708 United States District Court, Minnesota), the Medtronic Litigation (MDL No. 1726 United States District Court, Minnesota), the Vioxx litigation in both MDL (No. 1657) and the California State cases (JCCP No. 4247), and in consumer class matters and elder abuse in California.

Brian is working in the areas of consumer fraud, financial fraud, elder abuse, class actions, and severe personal injury/wrongful death. A native of Eureka, California where he graduated from Saint Bernard High School. Brian lives in San Francisco with his wife.

Areas of Practice:

- Consumer Fraud
- Financial Fraud
- Elder Abuse
- Class Actions
- Severe Personal Injury/Wrongful Death

Bar Admissions:

- California, 2004
- Nevada, 2006
- Arizona, 2007
- District of Columbia, 2007
- U.S. District Court Northern District of California
- U.S. District Court Eastern District of California
- U.S. District Court Central District of California
- U.S. Court of Appeals 9th Circuit

Education:

- University of California, Hastings College of the Law, San Francisco, California
- Honors:* Valedictorian
- Honors:* Order of the Coif
- Honors:* Tony Patino Fellow
- Honors:* Thurston Society
- Law Journal: Hastings Law Journal, Member

- University of Oregon, Robert D. Clark Honors College
- B.A.
- Honors:* Summa Cum Laude
- Honors:* Phi Beta Kappa
- Major: Political Science

Published Works:

"Binding Interest Arbitration in the Public Sector: A 'New' Proposal for California and Beyond", 55 Hastings L.J. 245, Nov., 2003

Professional Associations and Memberships:

San Francisco Bar Association

Consumer Attorneys of California

San Francisco Trial Lawyers Association

Nevada Trial Lawyers Association

Past Employment Positions:

Hon. Melvin Brunetti, United States Court of Appeals for the Ninth Circuit, Law Clerk

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EXHIBIT 9

The Brandi Law Firm

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Attorneys**Casey A. Kaufman**

San Francisco, California

phone (415) 989-1800**fax** (415) 989-1801**email** [Email Me](#)

Casey A. Kaufman is a graduate of the University of California at Berkeley and the University of San Francisco School Of Law. At Berkeley, he majored in the Environmental Sciences and while in law school he was a published member of the U.S.F. Law Review, authoring "Oregon v. Ashcroft: The Attorney's General's Attempt to Override State Controlled Medical Practice." This article, originally published in the Summer 2003 volume of the U.S.F. Law Review, is cited by the Witkin (7 Witkin, Summary 10th (2005) Constitutional Law, 572), the foremost authority on California law.

Casey is a member of the California, Arizona, Nevada and Washington, D.C. bars where he is actively representing clients in the areas of elder abuse, product liability, personal injury, and actions against public entities. He is a member of the Consumer Attorneys of California and the San Francisco Trial Lawyers Association. Casey is a native of San Pedro, California and a graduate of Palos Verdes Peninsula High School. He lives in San Francisco.

Areas of Practice:

Public Entity Liability

Product Liability

Elder Abuse

Severe Personal Injury/Wrongful Death

Bar Admissions:

California, 2004

Nevada, 2006

Arizona, 2007

District of Columbia, 2007

U.S. District Court Northern District of California

U.S. District Court Eastern District of California

U.S. District Court Central District of California

Education:

University of San Francisco School of Law, San Francisco, California

Law Review: University of San Francisco Law Review, Member

University of California, Berkeley

B.S.

Major: Environmental Sciences

Published Works:

"Oregon v. Ashcroft: The Attorney General's Attempt to Override State Controlled Medical Practice", 37 U.S.F. L.Rev., Summer, 2003

Professional Associations and Memberships:

Consumer Attorneys of California

San Francisco Trial Lawyers Association

American Association for Justice

American Bar Association

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EXHIBIT 10

The Brandi Law Firm

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Attorneys**Daniel Dell'Osso**

San Francisco, California

phone (415) 989-1800**fax** (415) 989-1801**email** [Email Me](#)

Dan is a native of Oakland, California and a graduate of Bishop O'Dowd High School. Dan attended Virginia Military Institute, graduating with honors in 1975 and was selected as a Rhodes Scholar nominee from the state of Virginia. After graduating from VMI, Dan was commissioned as a 2nd Lt. in the United States Marine Corps where he was selected for flight school. Dan spent six years on active duty as a fighter pilot and continued to serve as a pilot with the Marine Corps Reserve. Dan rose to the rank of Lt. Col. and was the commanding officer in the Marine A-4 squadron in Alameda, California before retiring with 22 years of service.

Dan received his law degree from Golden Gate University in 1984 and entered practice with the Walkup law firm in San Francisco eventually focusing his practice in the areas of aviation and product liability with special emphasis in the area of automobile crashworthiness. Dan left his partnership at the Walkup Firm in 2000 in order to limit his practice entirely to automobile crashworthiness and joined the firm of Coben and Associates in Arizona, where he worked until his return to the Bay Area, joining the Brandi Firm in 2005.

Dan is licensed to practice law in California, Nevada, and Arizona, and currently represents families in auto defect cases in all three jurisdictions. In addition he is a graduate of the Naval Post Graduate School's Aviation Accident Investigation and Safety school, which coupled with his over twenty years of flying experience, provides significant insight in representing people in aviation accidents.

Dan has been involved in the preparation and/or trial of automobile crashworthiness cases against most of the major automobile manufacturers including Toyota, Mitsubishi, Honda, KIA, Nissan, General Motors, Ford, DaimlerChrysler, Volvo and Mazda. He has tried automobile defect and crashworthiness cases in California, Arizona, and Pennsylvania and participated in crashworthiness cases in New Jersey, Maryland, Ohio, Hawaii and Maine. Dan's cases include defects in rollovers, vehicle stability, defective tires, seat failures, seat belt failures, airbag systems, child restraints, occupant restraint failures, roof crush, defective roofs, door latch failures, and side structures.

Dan was elected by his peers to the Arizona chapter of the American Board of Trial Advocates, (ABOTA). He is a past chair of the American Association for Justice (now AAJ) products liability section. Dan is also a member of the Consumer Attorneys of California, and the American Association for Justice, (aviation and Product liability sections). Dan serves on the board of the San Francisco Trial Lawyers Association.

He is widely published in the area of auto defects including a book chapter on the topic of automobile crashworthiness and numerous articles in a number of legal periodicals dealing with a variety of legal and engineering issues in the areas of aviation and automobile products.

Dan and his wife live in the East Bay where Dan pursues his avocation of distance running, having completed numerous marathons including seven successful entries in the Boston Marathon.

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EXHIBIT 11

Aviation Accidents

California, Nevada and Arizona Aviation Accident Attorneys

Aviation, whether as a hobby, for commercial purposes, or recreation, always has risks. Everyone knows things can go wrong in the air. Whether you are a pilot or a passenger, you share the risk of flying. Unfortunately, even the most talented and prepared

pilot can fall victim to defective equipment and human error on the ground.



The aviation accident attorneys at **The Brandi Law Firm** have extensive experience representing clients injured in aviation accidents and representing the families of loved ones lost in plane crashes.

An aviation accident can occur as a result of bad parts, poor maintenance, pilot error, or FAA error. Our plane crash lawyers have a thorough background in these areas. When a plane crashes, victims need attorneys who understand the unique aspects of aviation law and the claim available under product liability theory. This comprehensive approach is what sets **The Brandi Law Firm** apart.

If you or your loved one has been injured in a plane crash, or you have lost a loved one in a plane crash, do not hesitate to [contact us](#). An experienced aviation accident attorney will meet with you at **NO CHARGE** to discuss the case.

Read about our firm's signification [Aviation Accident Cases](#).

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EXHIBIT 12

Comrade Recalls Flier as 'Rock Steady'; Pilot Who Flew With Famed Night Stalkers Unit Is Killed in Afghanistan Crash The Washington Post March 14, 2007 Wednesday

2 of 48 DOCUMENTS

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March 14, 2007 Wednesday
Suburban Edition

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HEADLINE: Comrade Recalls Flier as 'Rock Steady';
Pilot Who Flew With Famed Night Stalkers Unit Is Killed in Afghanistan Crash

BYLINE: Leef Smith; Washington Post Staff Writer

BODY:

If Hershel McCants Jr. had a passion, it was flying with his fellow Night Stalkers, a Special Operations aviation regiment based at Fort Campbell, Ky., that specializes in low-level night flying in combat and rescue missions.

McCants, 33, an Oregon native, was on a transport mission, co-piloting a twin-rotor Chinook helicopter Feb. 18, when the aircraft went down in southeastern Afghanistan. Five Night Stalkers, including McCants, and three other special operations personnel were killed in the crash, which military officials have blamed on the aircraft's "sudden, unexplained" loss of power.

Fourteen others were wounded in the crash, which left wreckage scattered across an open plain in Zabul province, just 50 yards from the main Kabul-Kandahar highway. Although the crash was not believed to have been caused by hostile action, it was the single deadliest incident this year for the 47,000 troops who make up the U.S.-led coalition and NATO forces in Afghanistan, according to news reports.

Yesterday, McCants's friends and family gathered at Arlington National Cemetery to honor the flier, watching silently as a horse-drawn caisson delivered the chief warrant officer's flag-draped coffin to the grave site.

McCants was flying a mission in support of Operation Enduring Freedom when the accident occurred. In tribute, four Blackhawk helicopters -- flying low and in formation -- buzzed across the cemetery as weeping mourners looked skyward.

Minutes later, members of the U.S. Army Band played "America the Beautiful" as a team of soldiers crisply folded the American flag lying atop McCants's coffin and presented it and two other banners to McCants's wife, mother and father.

McCants was assigned to the 2nd Battalion, 160th Special Operations Aviation Regiment (Airborne). The unit worked largely in support of Army Special Operations forces.

According to the Arizona Republic, McCants made a life in the Army, joining up before he had finished high school in Phoenix. Although McCants never excelled in his studies, he achieved excellence in the military, where he served as an engineer, medic, pilot and a Green Beret, family members said.

Comrade Recalls Flier as 'Rock Steady'; Pilot Who Flew With Famed Night Stalkers Unit Is Killed in Afghanistan
Crash The Washington Post March 14, 2007 Wednesday

Known to those closest to him as "J.R." or "Dan," McCants tried to quiet family members' fears by saying that regardless of the risks inherent in his missions, he was doing important work.

"If I don't make it back, know that I was doing what I love," his aunt Sandy Finneran quoted him as saying in an interview with Oregon's Mail Tribune. "It's my job."

Scott Nowicki, who served with McCants in an Army medical unit at Fort Lewis, Wash., sent an e-mail to the Mail Tribune last month praising McCants's skill and professionalism as a pilot during training missions and rescue operations.

Nowicki described a mission to rescue two hikers who were stranded on a steep mountainside in the dark. The crew lowered one member of the team more than 200 feet down a cable to collect the hikers and fly them to a parking lot, the newspaper reported.

"Dan was rock steady and the aircraft hovered as if it were sitting on solid ground," Nowicki wrote, hailing McCants as "a true Special Operations quality pilot."

Shortly after his death, McCants's wife, Shannon, released a statement describing her husband as a loving father to two children -- Trevor, 11, and Kylie, 11 months -- and a dedicated soldier.

"Dan was a professional in everything he undertook and was proud of his unit and the soldiers with whom he served," read the statement. "Dan would want to be remembered as a soldier who loved his country and served America's finest."

GRAPHIC: IMAGE; By Kevin Clark -- The Washington Post; Trevor McCants, 11, with mother Shannon McCants and other family and friends, watches as his father's coffin is carried past at Arlington National Cemetery.
IMAGE; Chief Warrant Officer 3 Hershel D. McCants Jr.

LOAD-DATE: March 14, 2007

EXHIBIT 13

3 of 48 DOCUMENTS

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Air Force Times

March 5, 2007
Correction Appended

SECTION: NEWSLINES; Pg. 20

LENGTH: 893 words

HEADLINE: Airman, 7 others die in helo crash

BYLINE: Sean D. Naylor

BODY:

An Air Force pararescueman was among the eight U.S. troops who died Feb. 18 when an Army helicopter with 22 people on board crashed in Afghanistan.

Tech. Sgt. Scott E. Duffman, 32, of the 24th Special Tactics Squadron at Pope Air Force Base, N.C., was killed when the MH-47E Chinook went down in Zabul province, the Air Force said. Three other airmen were injured.

Among those hurt was Senior Airman Mark "Daniel" Houghton, 22, a pararescueman from the 38th Rescue Squadron, Moody Air Force Base, Ga. Houghton's parents said their son underwent three hours of surgery Feb. 19 at Landstuhl Regional Medical Center, Germany, where he was treated for several broken bones, blood in his lungs and other injuries.

The two other airmen were assigned to special operations units as combat controllers, according to a Pentagon source. They were not identified.

A memorial service for Duffman is set for March 1 at Pope.

"He was a warrior and loved what he did and why he did it," Duffman's mother, Rose Duffman, said.

Her son had been in Afghanistan for just five days.

"It's kind of hard to believe, because you'd just talked to him the day before," she said.

The technical sergeant's survivors include his wife and 5-month-old daughter.

The MH-47E was from the Army's 160th Special Operations Aviation Regiment's 2nd Battalion, according to a source in the special operations community.

The fourteen survivors all suffered injuries, and while some "did walk away," several others were seriously injured, the source in the special operations community said.

Apart from the airmen, one of the wounded was a crewman from the stricken aircraft, and the rest were Rangers, according to the Pentagon source.

As word of the crash spread, U.S., Australian, Canadian, British and Dutch rescue teams launched a combat search-and-rescue operation, an Air Force statement said.

Medical evacuation

Within hours after the crash, an Air Force C-17 Globemaster, with two critical care air evacuation teams and a trauma surgeon onboard, flew 11 of the injured survivors from Kandahar Air Base, Afghanistan, to Ramstein Air Base,

Airman, 7 others die in helo crash Air Force Times March 5, 2007 Correction Appended

Germany, landing there at about 2 a.m. Feb. 19. Seven of the patients were in critical condition with head injuries, chest wounds and spinal fractures, evacuation team members said. The four others were less severely injured.

"It was like being in an emergency room, just as hectic, doing lots of things," recalled flight nurse Capt. Ben Meadows, of the Delaware Air National Guard's 142nd Aeromedical Evacuation Squadron.

The 160th, the Rangers and the airmen on the helicopter all support Joint Special Operations Command, which is in charge of the most sensitive special operations missions. The helicopter was part of a multi-aircraft flight carrying a quick-reaction force in support of a JSOC task force mission, according to the Pentagon source.

However, that mission had been canceled, and the quick-reaction force was returning to Bagram Air Base from Kandahar when the crash occurred, the source said.

The MH-47E was flying at about 300 feet when it experienced a sudden loss of power, the source in the special operations community said. Initial speculation about the cause of the power loss has centered on the possibility of engine icing, he said. But whatever caused the loss of power, "at 300 feet you don't have a lot of space to recover," the source added.

The helicopter appears to have come down aft end first, then bounced on its nose, causing the transmission assembly to come down on the cockpit, crushing the personnel at the front of the helicopter, according to the source.

The Chinook crashed about 50 yards from the main Kabul-to-Kandahar highway, according to reports.

In a news release posted Feb. 20 on the Army Special Operations Command Web site, Col. Kevin Mangum, commander of the 160th, said the aircraft "was crewed by an exceptionally qualified team of professionals and was flying in a formation of other aircraft in performance of this mission. It is unclear at this time as to exactly what caused the aircraft to crash onto a high plain in southeastern Afghanistan.

"While it is important that we investigate and determine what caused this tragic event -- which we will -- our immediate and lasting concern is for the families and friends of the extraordinary men who served their country with distinction," Mangum said.

The helicopter is at least the fifth MH-47 that has crashed or been shot down worldwide since the Sept. 11 attacks. The 160th is the only unit that flies the MH-47.

A U.S. military statement said details of the crash or the helicopter's mission would not be released until "completion of recovery operations."

Thousands of U.S. forces are deployed in southeastern Afghanistan, including in Zabul, where they have a base under NATO command. The province has long been a hotbed for militant supporters of the former Taliban regime who have stepped up attacks over the past year.

In May 2006, another U.S. CH-47 Chinook crashed attempting a nighttime landing on a small mountaintop in eastern Kunar province, killing 10 soldiers.

In 2005, a helicopter crashed in Kunar, after apparently being hit by a rocket-propelled grenade, killing 16 American troops.

Another crash of a civilian helicopter last year in southeastern Khost province killed up to 16 people, including the wife and two daughters of a U.S. civilian worker.

CORRECTION:

2 COLOR PHOTOS.

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